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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,576	02/23/2005	Ludovic Peter Willem Huysmans	NL 020776	4876

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

QUARTERMAN, KEVIN J

ART UNIT	PAPER NUMBER
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2879

MAIL DATE	DELIVERY MODE
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06/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,576

Applicant(s)

HUYSMANS ET AL.

Examiner

Kevin Quarterman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 0205.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding independent claim 1, the term "thin-walled" in claim 1 is a relative term which renders the claim indefinite. The term "thin-walled" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Thus, the recitation of the frame section including two flange sections of a "thin-walled material" renders the claim indefinite by use of the term "thin-walled" in the claim. Due to their dependency upon independent claim 1, claims 2-9 are also deemed indefinite.
4. Claim 6 recites a rib being positioned in an area between the slit and "an inner edge." The Examiner notes that it is unclear what *inner edge* applicant is referring to—i.e., inner edge of what?

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka (JP 2002-100300).

7. Regarding independent claim 1, Figure 5 of Tanaka shows a frame section (51) adapted to form part of a shadow mask frame within a cathode ray tube (Fig. 10) having a hollow, generally rectangular shape and on which a shadow mask (Fig. 12) is mountable, the frame section including two flange portions of a thin-walled material arranged at an angle to each other, a first flange portion serving as a mask mounting flange the width of which extends generally in parallel with the direction of the cathode rays and on which the shadow mask is mountable, and a second flange portion serving as a reinforcing flange whose width extends generally perpendicularly to the direction of the cathode rays, characterized in that the reinforcing flange portion comprises an elongated through-slit (53) extending in the longitudinal direction of the frame section.

8. Regarding claim 2, Figure 5 of Tanaka shows the slit having a length of at least 50% of the total length of the frame section.

9. Regarding claim 3, Figure 5 of Tanaka shows the slit having a length of at least 60% of the total length of the frame section.

10. Regarding claim 4, Figure 5 of Tanaka shows the slit having a length of at least 70% of the total length of the frame section.

11. Regarding claim 5, Figure 5 of Tanaka shows the slit formed as a through-cut in the reinforcing flange, and that at least one of the edge portions (51a) surrounding the cut is bent on either side.

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12. Regarding claim 6, Figure 5 of Tanaka shows the reinforcing flange comprising a rib which extends in the longitudinal direction of the frame section and positioned in the area between the slit and the an inner edge.
13. Regarding claim 7, Figure 5 of Tanaka shows more than one slit arranged in parallel with each other in the reinforcing flange.
14. Regarding claim 8, Figure 5 of Tanaka shows the slit being discontinuous along its length and interrupted by a bridging portion.
15. Regarding claim 9, Figure 10 of Tanaka shows a cathode ray tube comprising a color selection electrode provided with a frame including a frame section according to claim 1.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Reed (US 6,680,563) discloses a color picture tube having a low expansion tension mask attached to a higher expansion frame. Nagata (US 5,986,393) discloses a cathode ray tube inner magnetic shield.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (571) 272-2461. The examiner can normally be reached on M-TH (7-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Quarterman
Examiner
Art Unit 2879

kq *KE*
25 June 2007

MS
Mariceli Santiago
Primary Examiner
AU 2879